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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92077357
Party	Defendant Nike, Inc.
Correspondence Address	NIKE, INC. ONE BOWERMAN DR. BEAVERTON, OR 97005 UNITED STATES Primary Email: nike.trademark@nike.com No phone number provided.
Submission	Answer
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Signature	/Helen Hill Minsker/
Date	07/23/2021
Attachments	Answer to Petition for Cancellation - 92077357.pdf(308266 bytes )

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ROBERT G. LOPEZ a/k/a TRADEMARKROB®,

Petitioner.

VS.

NIKE, INC.,

Respondent.

Cancellation No. 92077357

Mark:



Registration No.: 6,368,694

Registered: June 1, 2021

## **ANSWER TO PETITION FOR CANCELLATION**

Respondent NIKE, Inc. ("NIKE"), by and through its undersigned attorneys, responds to the Petition for Cancellation ("Petition") of Petitioner, Robert G. Lopez a/k/a TRADEMARKROB® ("Petitioner"). Any allegation not specifically admitted herein is denied.

In response to the first unnumbered paragraph of the Petition, Respondent admits its corporate designation and principal business address. Respondent lacks sufficient information to form a belief as to the truth of the remaining allegations in the first unnumbered paragraph of the Petition, and on that basis denies them.

The numbered allegations are answered as follows:

- 1. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 1 and therefore denies them.
- 2. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 2 and therefore denies them.

- 3. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 3 and therefore denies them.
- 4. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 4 and therefore denies them.
- 5. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 5 and therefore denies them.
- 6. Respondent admits that the records of the United States Patent and Trademark Office indicate that Petitioner registered TRADEMARKROB (Reg. No. 6,107,758) for "Business management and consultation; Brand development and evaluation services in the field of trademarks, trade names, domain names and brand enforcement." Respondent is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraph 6 and therefore denies them.
- 7. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations in numbered paragraph 7 and therefore denies them.
- 8. Respondent admits that Petitioner filed a complaint for alleged trademark infringement against Respondent in a case captioned *Lopez v. Nike Inc.*, 20-CV-00905 (S.D.N.Y.) on February 2, 2020. Respondent denies the remaining allegations in paragraph 8.
  - 9. Respondent denies the allegations in paragraph 9.
  - 10. Respondent denies the allegations in paragraph 10.
  - 11. Respondent denies the allegations in paragraph 11.
  - 12. Respondent denies the allegations in paragraph 12.
  - 13. Respondent denies the allegations in paragraph 13.
  - 14. Respondent denies the allegations in paragraph 14.

15. Respondent admits that Exhibit C appears to show Respondent's Drawing

submitted with Respondent's Trademark Application No. 90/086,080. Respondent denies the

remaining allegations in paragraph 15.

16. Respondent admits that Exhibit D appears to show Respondent's Specimen

submitted with Respondent's Trademark Application No. 90/086,080. Respondent denies the

remaining allegations in paragraph 16.

17. Respondent denies the allegations in paragraph 17.

18. Respondent denies the allegations in paragraph 18.

19. Respondent denies the allegations in paragraph 19.

20. Respondent denies the allegations in paragraph 20.

21. Respondent denies the allegations in paragraph 21.

Respondent denies that the Petition should be granted.

WHEREFORE, NIKE respectfully requests that the Board dismiss the Petition.

Respectfully submitted,

Date: July 23, 2021 By: /Helen Hill Minsker/

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Attorneys for Respondent NIKE, Inc.

## **CERTIFICATE OF SERVICE**

I hereby certify that a complete copy of the foregoing **ANSWER TO PETITION FOR CANCELLATION** has been served on counsel for Petitioner forwarding said copy on July 23, 2021, via email to:

Robert G. Lopez trademarkrob@gmail.com

/Elisabeth Richards/

Elisabeth Richards